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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/618,270	07/11/2003	Gerald W. Henning		4848

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EXAMINER

KING, ANITA M

ART UNIT	PAPER NUMBER
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3632

DATE MAILED: 05/19/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/618,270

Applicant(s)

HENNING ET AL.

Examiner

Anita M. King

Art Unit

3632

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16, 21, 22 and 25 is/are rejected.
- 7) ☒ Claim(s) 17-20, 23, 24, 26 and 27 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 July 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 7/11/03.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

This is the first office action for application number 10/618,270, Flat Panel Monitor Support Arm, filed on July 11, 2003.

Drawings

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: "40," "54b," "56b," "72b," "76b," "164b'," and "88b'". A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

The drawings are objected to because in Fig. 5, reference number "128" appears to be incorrect and should be --128'--; in Fig. 7A "106a'" and "106c'" appear to be incorrect and should be --160a'-- and --160c'--, respectively; and in Fig. 7B, reference numbers "56a'" and "56c'" appear to be incorrect and should be --52a'-- and --52c'--, respectively. Also, there is no Fig. 10 in the drawings as indicated by the specification on page 16, line 10. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Specification

The disclosure is objected to because of the following informalities: on page 13, line 21, "segment16'" should be --segment 16'--; on page 14, line 9, "126" appears to be

incorrect and should be --136--; on page 14, line 17, "52a-c" (second occurrence) appears to be incorrect and should be --52a-c--; and throughout the specification correction should be made to the reference characters using letters a'-c', for example "86a-c" should be changed to --86a'-c'--; "70a-c" should be changed to --70a'-c'--, etc.

Appropriate correction is required.

Claim Objections

Claims 1-27 are objected to because of the following informality: some of the claim terminology is not consistent with the specification; the claim terminology should be consistent with the terminology cited in the specification to alleviate confusion and misinterpretation of the claims. Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-12, 15, and 16 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites the limitation "said interconnected segments" in line 5. There is insufficient antecedent basis for this limitation in the claim. The original recitations are drawn to "a flexible arm segment" and "a rigid arm segment". Also, see claim 6, lines 1-2.

Claim 15 recites the limitation "said plurality of flexible tubes" in line 1. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1 and 13 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent 2,597,670 to Pinto. Pinto discloses a support arm comprising: a base (34) having a mounting means (35, 36, & 37) for mounting the base to a mounting structure; a rigid arm segment (33); a flexible arm segment (32), the rigid arm segment and the flexible arm segment being connected to one another, the segments having a first end and a second end, the first end being connected to the base; and a component mount (47) connected to the second end of the segments.

Claims 1, 2, 12-14, 21, and 22 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent 5,008,793 to Copeland. Copeland discloses a support arm comprising: a base (12) having a mounting means (14) for mounting the base to a mounting structure; a rigid arm segment (21); a flexible arm segment (17), the rigid arm segment and the flexible arm segment being connected to one another, the segments having a first end and a second end, the first end being connected to the base; and a component mount (18) connected to the second end of the segments; wherein the

flexible arm segment includes a plurality of discrete flexible tubes (20) extending substantially parallel to one another; and a second rigid arm segment, a second flexible arm segment and a second component mount.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 7, 8, and 25 rejected under 35 U.S.C. 103(a) as being unpatentable over Pinto in view of U.S. Patent 3,991,445 to Pennell. Pinto further discloses that the flexible arm segment includes at least one flexible tube. Pinto discloses the claimed invention except for the limitations of the flexible tube including a core, a flexible casing, a void and a filler material. Pennell teaches that it is known to have a flexible tube having a core (14), a flexible casing (18) surrounding the core in a spaced apart relationship to define a void, and a filler material (12 & 16) substantially filling the void; and wherein the core is a solid metal round stock. It would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified flexible tube in Pinto to have included the flexible tube as taught by Pennell for the purpose of providing a flexible tube that is reinforced to alleviate wear and tear on the tube.

Allowable Subject Matter

Claims 3-6, 9-11, 15, and 16 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

Claims 17-20, 23, 24, 26, and 27 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent 2,481,271 to Willey

U.S. Patent 2,784,261 to Anklesaria

U.S. Patent 3,410,512 to Del Vecchio et al.

U.S. Patent 3,581,523 to Bartholomew

U.S. Patent 4,708,312 to Rohr

U.S. Patent 4,953,821 to Reuter et al.

U.S. Patent 5,842,670 to Nigoghosian

U.S. Patent 6,199,805 to Pena

U.S. Patent 6,315,252 to Schultz


U.S. Patent 6,695,270 to Smed

Willey discloses a holding device having a rigid arm segment connected to a flexible arm segment. Anklesaria discloses a support stand having a base attached to a rigid arm segment, and a flexible arm segment attached to the rigid arm segment. Del Vecchio et al. disclose a attachment for supporting a bottle, including a rigid arm segment and a flexible arm segment. Bartholomew discloses a flexible cable assembly. Rohr discloses an extensible height-adjustable swivel arm for supporting a display. Reuter et al. disclose a suspension apparatus for control panels. Nigoghosian discloses an apparatus for supporting a hair dryer, including a flexible arm segment attached to a base. Pena discloses a stand for a hair dryer, including a base attached to a rigid arm segment and a flexible arm segment attached to the rigid arm segment. Schultz discloses a removably mounted computer stand having a base, a rigid arm segment and a flexible arm segment. Smed discloses a flat panel display system.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anita M. King whose telephone number is (703) 308-2162. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Leslie A. Braun can be reached on (703) 308-2156. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Anita M. King
Primary Examiner
Art Unit 3632

May 16, 2004